

PB# 87-16

**F & W Auto Wholesalers
(Never Materialized)**

4-1-19

F. & W. Auto Wholesalers 87-16
Freeman Hunt

4-1-19

Never Materialized

FREEMAN HUNT
564-1171

Oxford[®]

✱ ESSELTE

MADE IN U.S.A.

NO. 753 1/3

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INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
ATTN: MARK J. EDSALL, P.E. - ENGINEER

FROM: ZONING BOARD OF APPEALS

SUBJECT: YOUR MEMO DATED 7/7/87
F & W AUTO WHOLESALERS - ROUTE 207

DATE: July 14, 1987

Regarding the above-entitled matter, the Zoning Board of Appeals feels that a use variance is needed in order for the applicant to operate used car sales in an NC zone. However, the Board would like to see conceptual approval of a site plan by the Planning Board before it entertains a request for a variance.

Jack Babcock, Chairman

/PAB

cc: F & W AUTO WHOLESALERS
Attn: Freeman Hunt
Michael Babcock, B. I.

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-5

Date 7/7/87

To: F & W Auto Wholesalers (Freeman Hunter 564-1171)
617 Little Britain Road
New Windsor, N. Y. 12550

PLEASE TAKE NOTICE that your application dated _____
for (~~Subdivision~~ - Site Plan) _____
located at Route 207

_____ is returned herewith and disapproved for the following reasons.

This is a NC Zone. Used car sales not a permitted use in NC Zone.

Henry Scheible

Planning Board Chairman

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Req'd Front Yd.		
Req'd. Side Yd.		
Req'd. Rear Yd.		
Req'd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential Districts only



McGOEY and HAUSER
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7 July 1987

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

MEMORANDUM FOR RECORD

TO: Town of New Windsor Zoning Board of Appeals -
Mr. Jack Babcock, Chairman
FROM: Mark J. Edsall, Planning Board Engineer
SUBJECT: F&W AUTO WHOLESALERS - ROUTE 207

The Planning Board has directed me to contact the Zoning Board of Appeals with regard to a proposed used car lot to be located on Route 207 near the Stewart Gate. The operation is proposed for the NC Zone. As such, the Planning Board requests your interpretation whether a variance is needed for the used car lot operation since this use is not listed as a use permitted by right or by special permit in the Bulk Tables for the NC Zone.

The Planning Board also wished me to indicate that their initial opinion would be that they would have "no problem" with the proposed use based on same being a "clean operation".

Please advise myself or the Planning Board of your determination regarding this matter. Thank you for your assistance.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer

cc: Henry Scheible, Chairman

MJEfmD

SIMPSON TRAILER PARK SITE PLAN

Valentino Sammaraco, Esq., came before the Board representing this proposal.

Mr. Sammaraco: I represent Evelyn Simpson. I believe this is an application for mobile home permit pursuant to a local law number 2.

Mr. Scheible: There is no dimensions on here. It is really hard to read.

Mr. Sammaraco: This is all pre-existing non-conforming use this entire property.

Mr. Scheible: These are the points we want to see.

Mr. Sammaraco: We are willing to show that on there apparently the engineer didn't contact the Town to see what you wanted on the map.

Mr. Scheible: The engineer didn't do his job there is nothing we can do tonight except bring it back the next meeting with a complete set of plans with all the distances marked.

Mr. Van Leeuwen: I suggest your engineer contact our engineer and work these things out.

Mr. Sammaraco: I will have our engineer contact yours and we will resubmit the map.

Mr. Van Leeuwen: I'd like also to see the house locations of the existing owners.

Mr. Scheible: Also locations of Town water tank and the homes on each side.

PRESUBMISSION CONFERENCE

F & W Auto Wholesalers (87-16)

6/24

Mr. Hunt came before the Board representing this proposal.

Mr. Hunt: I am the owner and president of F & W Auto Wholesalers at 617 Little Britain Road. That is 500 feet from Stewart Field Airport Gate. John Huron is the property owner. It is presently Airport Videos it is the old Bivona's Deli. Behind there yes there is an office type building in the back there and I am occupying the easterly portion of the building. I talked to Mr. Babcock some months ago with regard to do I need a special permit or what is required in operating used car lot at this point.

Mr. Scheible: You want to operate a used car lot.

Mr. Roncs: Is that an NC zone?

Mr. Babcock: Yes. He would require site plan approval.

Mr. Scheible: Are you going to be doing any repair work on the premises?

Mr. Hunt: No.

Mr. Scheible: Except new battery in a car maybe?

Mr. Hunt: Maybe charging a battery but no mechanical work.

Mr. Scheible: Do you intend having a garage?

Mr. Hunt: No, on the easterly portion the position I am utilizing there is a garage that I am using but that won't be for any repairs I don't need it for repairs my repair work I contract out to body shops, repair shops and so forth.

Mr. Jones: You will be wholesaling cars?

Mr. Hunt: Retaining actually. I was a wholesaler outfit starting in September of '83 and due to a change of location to 617 Little Britain I am able to, if approved I am able to operate retail there.

Mr. Edsall: Mike and I made a review of NC zone as I said it doesn't appear as either permitted use or special use permit we checked back through the zone bulk tables to see if it appears someplace else under C zone it lists used car sales a use permitted by right so evidently whoever set up the table recognized that car sales are acceptable in C but not NC without a variance. It appears if he wanted to do that he'd need a variance.

Mr. Scheible: You have to go to us and we will disapprove and refer you to the Zoning Board of Appeals and if they say no that scratches it if they yes you'd have to come back to the Planning Board for our approval once more. First you'd have to higher a surveyor and he'd make a map, get it all prepared according to Town standards and your engineer can be in touch with Mr. Edsall to determine exactly what is necessary and you'd have to make an application in the Town building inspector's office you'd apply to get on the Planning Board agenda.

Mr. Rones: The problem is that in order to get a variance you have to show the Zoning Board when you get to them that this is an unnecessary hardship by using this property for something that you can't use it for what it is for that it deprives the owner of the property. The reasonable return on the property. That might be a pretty tough road a hoe there. Maybe you should get on the Zoning Board agenda and explain to the Zoning Board your situation with them.

Mr. Van Leeuwen: I have no problem.

Mr. Mc Carville: I have no problem.

Mr. Reyns: Maybe we can send a note to the Zoning Board to indicate that we need guidance from them as to whether a variance is needed since the proposed use on a used car lot is not listed in the N C zone.

Mr. Scheible: I will close the Presubmission Conference.

DISCUSSION

MACDONALDS SITE (ROUTE 32)